

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

LUCAS PERKINS,

Case No. 3:19-cv-01157-AC

Plaintiff,

CLASS ACTION SETTLEMENT
ORDER AND FINAL JUDGMENT

v.

DAVE SINGH, an individual, and
DANWEI LLC, an Oregon limited
liability company,

Defendants.

ACOSTA, United States Magistrate Judge:

Plaintiff Lucas Perkins (“Plaintiff”) filed this action on behalf of himself and other similarly situated individuals against defendants Dave Singh and Danwei, LLC (collectively, “Defendants”) for alleged violations of the Fair Labor Standards Act (“FLSA”), 29 U.S.C. §§ 201-219, and other federal and state laws. Currently before the court is the parties’ Joint Motion for Final Class and Collective Settlement Approval. (Joint Mot. for Final Class and Collective Settlement Approval, ECF No. 45.)

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In an Order dated May 26, 2021 (“Order”), the court granted preliminary certification of a collective under 29 U.S.C. § 216(b) (“§ 216(b)”) of the FLSA and a class action under Rule 23(b)(3) of the Federal Rules of Civil Procedure and preliminarily approved the proposed settlement as set forth in the Settlement and Release Agreement between Lucas Perkins and Dave Singh and Danwei LLC dated February 24, 2021 (“Settlement Agreement”) attached as Exhibit 1 to the Joint Motion for Preliminary Class and Collective Settlement Approval. (Order dated May 26, 2021, ECF No. 43 (“Order”); Joint Mot. for Preliminary Class and Collective Settlement Approval, ECF No. 37, Ex. 1.) The Order also approved the form of the proposed settlement notice (“Notice”), directed the Notice be sent to the Members, and appointed lead counsel (“Counsel”). (Order.)

On July 1, 2021, Counsel mailed the Notice to all identified class members via first-class United States mail to the last known addresses and emailed the Notice to the last known email addresses using the mailing addresses and email addresses listed in Defendants’ records. (Egan Decl. dated September 13, 2021, ECF No. 47 (“Egan Decl.”), ¶¶ 2-3.) No class members opted out. (Egan Decl. ¶ 5.) Twenty-seven collective members opted in. (Egan Decl. ¶ 4.) The Notice contained instructions to the class members on how to object to the settlement, but no class or collective members filed, or otherwise voiced, objections as required in the Notice.

The court has considered all papers filed and proceedings held in this matter and is fully informed regarding the facts surrounding the proposed settlement as set forth in the Settlement Agreement. Specifically, the court has read, reviewed, and considered the papers filed in support of final approval of the Settlement Agreement, including supporting declarations, the Settlement Agreement, and the pleadings, and confirms the findings and conclusions previously presented in

the Order. Based upon this information, the court find the proposed settlement as fair, reasonable, and adequate in the amounts, allocations, and payment structure stated in the Settlement Agreement. Accordingly:

IT IS ORDERED the parties' Joint Motion for Final Class and Collective Settlement Approval (ECF No. 45) is hereby GRANTED and final judgment is hereby entered on the terms provided in the Settlement Agreement.

DATED this 1st day of November, 2021.



JOHN V. ACOSTA
United States Magistrate Judge